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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/595,551	06/16/2000	Basavaraj B. Patil	P1003	9790

7590

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EXAMINER

LANIER, BENJAMIN E

ART UNIT

PAPER NUMBER

2132

DATE MAILED: 04/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/595,551

Applicant(s)

PATIL ET AL.

Examiner

Benjamin E Lanier

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 February 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-37 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-37 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02 August 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Response to Amendment

1. Applicant's amendment filed 22 February 2005 amends claims 1, 11, 13, 20, and 29.

Applicant's amendment has been fully considered and is entered.

Response to Arguments

2. Applicant's arguments filed 22 February 2005 have been fully considered but they are not persuasive. Applicant's argument that the Lincke reference does not disclose using a registration message to transmit a public key is not persuasive because Lincke discloses that a message, with a public key, is sent to the mobile terminal to establish the public key for communication purposes (Col. 86, lines 44-56).

3. Applicant's argument that the Lincke reference does not disclose routing the information packet through an AAA server is not persuasive because Lincke discloses an encryption key is transmitted to the proxy server and recoverable via the private key of the proxy server (Col. 84, line 54 – Col. 85, line 18).

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002

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do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

5. Claims 1-37 are rejected under 35 U.S.C. 102(e) as being anticipated by Lincke, U.S. Patent No. 6,253,326. Referring to claims 1, 8-11, 17-20, 26-29, 35-37, Lincke discloses a system for secure communications that includes a wireless communication device (mobile node), a base station, a proxy server, the Internet, and a web server (foreign network). The wireless communication device communicates with the base station via wireless communications to establish communications with the web server (foreign network)(Fig. 1), which meets the limitation of the establishing a security association with the mobile node and the foreign network. The base station is coupled to the proxy server via the private network (home network) and communicates to the web server (foreign network) through the Internet (Fig. 1), which meets the limitation of establishing a security association between the home network and the foreign network. The proxy server and the web server are all coupled to the Internet (Col. 8, lines 24-48). A message, with a public key, is sent to the mobile terminal to establish the public key for communication purposes (Col. 86, lines 44-56), which meets the limitation of using a registration message to transmit a public key. The wireless client generates a new 128-bit encryption key for secure transactions, and then encrypts the newly generated key with the public key of the proxy server. The encrypted key is then transmitted to the proxy server and recoverable via the private key of the proxy server (Col. 84, line 54 – Col. 85, line 18), this meets the limitations of encrypting, transmitting, and decoding encrypted information from the mobile node to the home

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network. In the private network (home network) many servers, routers, and hubs may exist (Col. 9, lines 59-67), which meets the limitation of a home network having a home agent coupled to a router. It is understood that the web server would also contain many servers, routers and hubs (Col. 10, lines 56-67), which meets the limitation of a foreign network having a foreign agent coupled to a router.

Referring to claims 2-4, 12-14, 21-23, 30-32, Lincke discloses that the base station is couple to the proxy server via a private network (Col. 8, lines 24-48), the proxy server would meet the limitation of a correspondent node.

Referring to claims 5, 6, 15, 16, 24, 25, 33, 34, Lincke discloses the use of public/private key encryption algorithms (Col. 85, lines 12-13). Referring to claim 7, Lincke discloses that the network could be cellular (Col. 2, lines 46-54).

Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Benjamin E Lanier whose telephone number is 571-272-3805. The examiner can normally be reached on M-Th 7:30am-5:00pm, F 7:30am-4pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron can be reached on 571-272-3799. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Benjamin E. Lanier



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